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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Takayuki KEI et al.**

Group Art Unit: **2872**

Serial No.: **10/800,754**

Examiner: **Mark A. Robinson**

Filed: **March 16, 2004**

Confirmation No.: **1179**

For: **THREE-DIMENSIONAL CONFOCAL MICROSCOPE SYSTEM**

Attorney Docket Number: **042165**

Customer Number: **38834**

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Date: August 11, 2005

Sir:

In response to the requirement for an election of species dated July 29, 2005, applicants provisionally elect to prosecute Species a (Figure 3). It is believed that claims 1-3 read on the elected species. The applicant reserves the right to file divisional applications on the non-elected claims.

The applicants respectfully request an early examination on the elected claims and favorable action on the merits. If the Examiner has any questions with this Response, please feel free to call the undersigned at the indicated telephone number.

Response to Election of Species Requirement  
Serial No. 10/800,754  
Attorney Docket No. 042165

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read "Sadao Kinashi".

Sadao Kinashi

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